

I was happy to support those State suits. But at the same time, President Clinton was President, and many of us said: Why isn't the administration in Washington doing the same thing? Why don't we bring a lawsuit on behalf of taxpayers across America who have had to pay out billions of dollars for medical care for tobacco-related disease and death? Why shouldn't they be compensated, as the States successfully prosecuted the tobacco companies for compensation at the State level?

To their credit, in the closing days of the Clinton administration, they prepared a lawsuit and started it against the tobacco companies by the Federal Government. And then, with the change in the administration, there was a question as to whether or not this new administration would still dedicate its resources and determination to successfully prosecute the same lawsuit.

We were concerned because initially there was criticism that the Department of Justice was putting too much money into this lawsuit. Attorney General John Ashcroft, as a Senator in this Chamber, was critical of this lawsuit against the tobacco companies. So many of us had justifiable concerns about whether or not the Federal Government would really vigorously pursue the lawsuit against the tobacco industry.

I am happy to report to you today that what has been disclosed within the last several weeks gives us great encouragement because we now have had disclosed documents that have been prepared by our Government, by our Department of Justice, demanding, in this lawsuit, changes in policy by the tobacco companies which could not be more encouraging.

Many of the things I am about to read to you have been proposed by people such as myself concerning the tobacco industry for years, and it has fallen on deaf ears in Congress. Congress is one of the worst places in the world to go and discuss the tobacco issue. The tobacco lobbyists are all over the Capitol. The tobacco interests fund campaigns right and left, and they make it very difficult for anything to be done on Capitol Hill. That is why the courts have been more successful.

But let me give you an idea of a number of the things this administration is asking for as part of their lawsuit which would really change the way tobacco products are going to be sold in America.

It would restrict all cigarette advertising to black and white print-only formats, with 50 percent of the space dedicated to graphic health warnings. In other words, all the glamour and glitz of the billboards, and all the other advertising on cigarette packaging and in magazines, would be replaced by very stark and clear black and white advertising with very graphic health warnings.

This is not a new idea. The Canadians have been in this business for a long

time. Other countries around the world, such as Poland, for example, have started doing things relating to tobacco advertising the United States should have done years ago.

It would require cigarette packaging, under this demand from the Department of Justice, to carry health leaflet inserts.

It would end trade promotions and giveaways.

It would ban all vending-machine sales, which is the avenue by which many underage smokers start their habit.

It would forbid "light," "low-tar," or "mild" labels, which are deceptive on their face.

It would require the industry to publicly disclose all ingredients, additives, and toxic chemicals.

It would require the industry to publicly disclose manufacturing methods and marketing research.

And it would eliminate the slotting fees paid to retailers for favorable placement of tobacco products.

This is an amazing array of remedies being asked for by the Department of Justice. I stand in this Chamber as someone who has been skeptical of their commitment. I applaud them for the real leadership they are showing in this lawsuit. If this is a change of heart in the administration, let this Democrat stand here and be the first to praise the administration for its leadership.

We need this. We need a commitment not just of resources, but a commitment of talent at the Department of Justice to make this legal action successful. Congress now needs to ensure, in our appropriation, that we adequately fund the Department of Justice to pursue this lawsuit. Give the Department of Justice the resources it needs to fight the tobacco industry. They are going to put together hundreds of lawyers to defend their miserable product and their practices. We need to have a team just as good and well funded on our side.

I can tell you as well, don't be deceived by the advertising from the tobacco industry. They have not changed. The Department of Justice uncovered documents that show, as recently as 1997, when the State settlements were being negotiated, the tobacco industry was conducting studies so that they could determine the brand preferences of young smokers between the ages of 12 and 20. Despite all of that beautiful advertising put on by Philip Morris and other companies on the television, which says: No we can't sell you these cigarettes, kiddo; you know what the law is. The fact is, this industry would die if they could not recruit teenage smokers. They are still trying to find ways to reach them.

As long as they are doing that, this insidious effort to make addicts of our children so that they ultimately become hooked and die from tobacco-related disease has to be fought every step of the way. It is time for us in

Congress to wake up to the need for the Food and Drug Administration to have new authority to regulate tobacco products. They have slipped through the cracks entirely too long when it comes to Government oversight. It is time to change it.

#### IN MEMORY OF TOM WINSHIP

Mr. KERRY. Madam President, I share a loss which many in New England, and Massachusetts particularly, feel today. Thomas Winship, editor of the Boston Globe from 1965 to 1984, and a champion of the role that the American newspaper plays in our lives and the lives of our country, died early this morning after a long and brave battle with cancer, leaving behind his wife Beth, a sister, Joanna Crawford; two sons, Lawrence and Ben; two daughters, Margaret and Joanna, and eight grandchildren.

Our condolences from all in the State of Massachusetts and all who knew him. Our prayers go out to them today as they grieve the passing of this very special man.

Their loss is also our country's loss. I can say without embellishment that Tom Winship was one of America's great newspapermen. He was an extraordinary editor, a giant among a generation of editors that includes people such as Ben Bradlee and Joe Lelyveld, and a host of others, all of whom were a band of brothers at that time, who sought to change the face of America, our politics, our culture, and our lives, in a positive way, using their power of the print to be able to reach the American people with what they thought were best interpretations and aspirations of our country.

Tom was a man who lived the word "citizen" to its fullest. He loved his family, his country, his community, and the newspaper business, all with a burning passion. In his years at the Boston Globe, he left an indelible mark on the newspaper lore of our Nation. It is not an exaggeration to say that through his efforts and the efforts of others, they made a real and a significant contribution, certainly to the history of Massachusetts, of New England, and, in the conglomerate of all of them, of the country.

I first met Tom Winship when I was a young veteran, recently returned from Vietnam. I went to see him to talk about the war, a visit which led to a friendship that lasted some 31 years. When we veterans came to Washington in the early 1970s to speak our minds about the war in which we had fought, as veterans who believed we had no other choice but to tell another side of the story, something we thought was not sufficiently reported, Tom Winship showed a special and personal interest. He understood the meaning of that effort. He insisted that his paper cover that story, our story, and I think, even fairly stated, America's story. He insisted that be covered when others were not so sure that was wise or that it mattered.

Tom's courage was measured not just in printing "The Pentagon Papers," for which he was bitterly attacked by some, but in covering all the words of the time—harsh words sometimes, honest words always, and words that might much more easily, were it not for him, have been ignored.

Tom's brand of special leadership did not begin or end with Vietnam. Perhaps it began even with the civil rights movement when he faced not just the segregation of the South but a segregation that he also recognized existed at home in the North. It was also his early activism, his willingness to protect the environment in the days when Rachel Carson and her book "Silent Spring" touched a new consciousness about clean air, clean water, and the birth of the environmental movement that never could have reached full momentum without Tom's stewardship of a newspaper determined to make it an issue.

It was the unflinching effort to press for reforms—in Massachusetts, in the State legislature, in the State constitution—and his creation of the Globe's Spotlight Team that awoke citizens to what was happening in too many instances in government, that made it possible for a new generation of reformers, Governors, to have a voice and find the platform that ultimately helped usher in the modern era of politics in our State.

On all these issues and so many more, it was Tom Winship who never shied away from steering the Boston Globe by his own moral compass. He believed that a newspaper served an important national purpose: To report the news, yes, but also, he believed equally importantly, to help his fellow citizens understand how events in their neighborhoods and beyond their borders impacted their lives. He believed in the role of the newspaper to help frame choices for each of us, to help us find a direction as a people, to open our eyes to the outcomes and possibilities which, as it always is in a democracy, are left up to the people to decide.

Tom thought it was entirely appropriate to make public a sense of moral outrage about the actions of people in public life whose choices or whose unwillingness to make choices, their inaction, came into conflict with the public interest. Tom Winship did not easily accept the changes he perceived in America's print media which seemed more and more interested in personality and conflict and less and less interested in ideas and ideals. Tom's sense of what was news and what was merely new never shifted. It was seared into him by his passion for a debate on big choices and his deep and unshakable belief that the newspapers were there to help us wrestle with those decisions.

For his enduring faith in the responsibility of journalists to our country, and for his remarkable energy spent to preserve that special role of the American newspaper in our democracy, for

his courage in fighting to put real news, however contentious, on the front pages of America's consciousness, Tom earned the enormous and unfailing respect of his peers. He also earned the admiration of a generation of activists and outsiders who might well have otherwise been written out of our Nation's dialog.

For all that he did in his life and throughout his career, Tom leaves an enormous legacy, one that will endure, even as newsprint fades and newspapers yellow with age. It will not be just a memory but a standard, a standard that teaches us lessons about telling the truth and focusing on what is really important. When you lose a man such as Tom Winship, your first instinct is to say you will not see another one like him. But knowing what we do about Tom Winship, knowing all he stood for and all he accomplished, we also know he would not want that. He simply would not believe it. He would want us to think that the world we live in, in the future will be a world with more people pursuing the same goals, with more people who believe they can change things and follow his example.

He would have believed nothing less than that. Although the standard he set is exceedingly high, it will mean so much more to our country to see another generation that walks the path Tom Winship so courageously blazed for all of us.

I yield the floor.

#### OTTO REICH IS ON THE JOB

Mr. HELMS. Madam President, this past Monday, March 11, I was among the hundreds of Otto Reich's friends and supporters when he was sworn in by Secretary of State Colin Powell to serve as Assistant Secretary for Western Hemisphere Affairs.

His nomination had been delayed, to a frivolous extent, by a few Senators who held a grudge against Mr. Reich because he so ably served President Reagan in the 1980s as head of the U.S. Office of Public Diplomacy for Latin America.

Now, on this past Monday, March 11, surrounded by his family, his two daughters held the Holy Bible on which Otto placed his hand while taking the oath of office by Secretary Powell. There followed a thunderous and prolonged applause when the oath was concluded and Secretary Powell turned over the podium to Secretary Reich.

Madam President, it occurs to me that many will find Otto Reich's remarks on that occasion of special interest. Therefore, I ask unanimous consent that the text of those remarks be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REMARKS BY OTTO J. REICH UPON HIS SWEARING-IN AS ASSISTANT SECRETARY FOR WESTERN HEMISPHERE AFFAIRS, IN THE BENJAMIN FRANKLIN ROOM, U.S. DEPARTMENT OF STATE, MARCH 11, 2002

Mr. REICH. As President Bush would say, "Basta."

Thank you very much, Mr. Secretary, for those very kind words and for your presence here. I know how busy your schedule is and I very much appreciate your officiating at this ceremony.

Excellencies, Senator Helms—Chairman Helms, Secretary Martinez, colleagues from many years of service in the U.S. Government, Army buddies, un-indicted co-conspirators, friends, family, and special guests:

I know many of you have traveled many hours to be here, and I want to thank you all for sharing this important occasion with me and with my family. I believe, however, the delegation from Panama holds the record for the longest distance traveled. If anybody else has traveled longer, we have a prize for you afterwards.

As much as I appreciate your presence, my first words of gratitude, on behalf of myself and my brother, my family and my fellow Cuban-Americans, must go to this most generous of countries, the United States of America.

As most of you know, my country of birth, Cuba, lost its liberty to a totalitarian dictatorship forty-three years ago. My family, like so many other nonpolitical families, was in danger simply because of our love of liberty, which ran counter to the communist ideology being imposed by force on that island.

The United States of America opened its doors to us, as it has done for millions yearning to breathe free. It did not ask anything in return, except allegiance and respect for the laws. It protected our lives, gave us liberty and the opportunity to pursue our happiness.

The Greek philosopher Thucydides said that Justice is the right of any person to do those things which God gave him the ability to do. By that or any other definition, this is a just country. Our nation is not perfect, but it allows its citizens to do that for which God gave them the ability. To say that I am proud to be an American is the height of understatement.

I want you to reflect for a minute on what you have just witnessed: where else but in the United States of America could the son of Jamaican immigrants rise to be the National Security Advisor to the President, then become the highest ranking officer in the most powerful Armed Forces in the world and then the Secretary of State.

Where else could he administer the oath of office to another son of the Caribbean—half-Cuban, half-Austrian, half-Catholic, half-Jewish—and charge him with directing our country's relations with the 34 nations of our home hemisphere. But I don't want you White Anglo Saxon Protestants out there to despair. There is room in our society for you, too.

I wish all of you had the opportunity I now have to work with Secretary Powell and President Bush. I have been in meetings with them and with heads of state or foreign ministers of other nations. And in private, in staff meetings, I can tell you that you would sleep better at night knowing how calm, competent, strong and dedicated they are.

I would sleep better at night also, except for Deputy Secretary Armitage calling me to ask where is the memo that was supposed to be upstairs by close of business!

I am proud today not just because I am being sworn in to this office. I was proud when I was given the opportunity by this